DOCUMENT RESUME

ED 468 344 EA 031 948

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TITLE	What's Hot in School Governance: Takeovers, Charter Schools and P-16 Systems.
INSTITUTION	Education Commission of the States, Denver, CO.
SPONS AGENCY	Joyce Foundation, Chicago, IL.
PUB DATE	2002-06-00
NOTE	17p.
AVAILABLE FROM	Education Commission of the States, 700 Broadway, Suite 1200, Denver, CO 80203-3460 ($10, plus postage and handling). Tel: 303-299-3600; Fax: 303-296-8332; Web site: http://www.ecs.org. For full text: http://www.ecs.org/clearinghouse/ 37/54/3754.pdf.
PUB TYPE	Information Analyses (070)
EDRS PRICE	EDRS Price MF01/PC01 Plus Postage.
DESCRIPTORS	*Academic Standards; *Charter Schools; College School Cooperation; Decision Making; Educational Change; *Educational Legislation; Educational Research; Elementary Secondary Education; *Governance; Higher Education; Policy Analysis; Public Education; Public Schools; *Sanctions
IDENTIFIERS	Legislative Research; *State Takeovers

ABSTRACT

Takeovers, charter schools, and P-16 systems are three issues in educational reform that have recently received a great deal of attention. For each of these issues, this report examines state activity in 2001 and early 2002, explores recent research findings, and offers key questions for state policymakers to consider. Until recently, state laws allowed takeovers of districts because of fiscal mismanagement or academic deficiencies. In 2001, several states broadened the concept to allow takeovers on a school-by-school basis. Presently, 15 states allow for takeovers of schools. Charter-school laws are in place in 37 states. In 2001, 20 states amended their charter-school laws. As the charter-school movement evolves, state policymakers are debating legislation to either strengthen or weaken charter-school laws, and researchers are evaluating their impact on student achievement, accountability, and traditional schools and districts. P-16 systems are attempts to join early-learning, K-12, and postsecondary levels of public education to create a coherent, flexible continuum of public education. More than half the states reported working on some aspect of a P-16 system in 2001. But because the concept of P-16 systems is still so new, research on its effects is minimal. (Contains 34 references.) (WFA)

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Education Commission of the States

ED 468 344

WHAT'S HOT IN SCHOOL GOVERNANCE:

Takeovers, Charter Schools and P-16 Systems

JUNE 2002

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WHAT'S HOT IN SCHOOL GOVERNANCE:

Takeovers, Charter Schools and P-16 Systems

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Introduction

As one way to improve the quality of public education, state and district leaders are rethinking and redesigning how they govern it – that is, they are changing who makes what decisions about public education.

To help inform this ongoing process, the National Center on Governing America's Schools has been tracking a number of school governance issues. Three of the issues that received a great deal of attention from state and district leaders between January 2001 and May 2002, and are the focus of this report, are:

- Takeovers
- Charter schools
- P-16 systems

For each of these issues, the report examines state activity in 2001 and early 2002, explores recent research findings and provides key questions for state policymakers to consider.

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Takeovers

To hold districts and schools accountable for student performance, many states are employing strategies that include sanctions for low performance. There are several types of sanctions in place across the states, with takeovers of failing districts and schools representing the ultimate sanction.

In the past, state laws allowed for takeovers of districts due to financial mismanagement. Over the past 15 years or so, though, states have enacted provisions to allow for takeovers of districts due to academic deficiencies.[1] Currently, 24 states allow for takeovers of districts for these reasons. Between 1988 and 2002, there were 49 districts taken over in 19 states and the District of Columbia.[2]

In a takeover, either the state legislature, the state board of education or a federal court charges the state department of education or another designated entity, such as a city's mayor, with managing a district. Several states have broadened the takeover notion to allow takeovers on a school-by-school basis. Presently, 15 states allow for takeovers of schools.[3]

With the passage of the new federal education law, the *No Child Left Behind* Act, the pressure to take over low-performing districts and schools will likely intensify. Under the new law, states are required to bring all students to at least a proficient level by the 2013-14 school year, and must implement a series of corrective actions for schools that fail to make adequate yearly progress toward that goal. Schools that fail to make such progress for five consecutive years must be "restructured," with a takeover serving as one potential method of restructuring.[4]

Takeover Activity in 2001

In 2001, the most highly publicized and controversial takeover occurred in Pennsylvania. On December 22, 2001, Pennsylvania took over the Philadelphia School District, the nation's eighth-largest, because of academic and financial problems. Philadelphia now ranks as the largest district to have ever been taken over by a state.[5]

As one of the first steps, Pennsylvania Governor Mark Schweiker and Philadelphia Mayor John Street replaced the mayorally appointed school board with a jointly appointed School Reform Commission (SRC), which has three gubernatorial and two mayoral appointments.

The SRC is moving forward on two significant fronts. First, it is negotiating with for-profit and nonprofit organizations to serve as consultants in the operation of the district's central office. In March 2002, the SRC announced that it was asking 12 organizations to serve as consultants to the district in a variety of areas, including school safety and classroom management, curriculum review, technology, food service, staff development and procurement. One of the 12 organizations, Edison Schools Inc., was named the lead management consultant for this effort.

Second, in April 2002, the SRC decided by a 3-2 vote, split along the lines of gubernatorial and mayoral appointments, to change the governance, management and operation of 70 of the district's 264 schools. The SRC is using four approaches:

- Forty-two of the schools will be run by seven for-profit and nonprofit organizations, including Chancellor-Beacon Academies, Edison Schools Inc., Victory Schools Inc., Foundations Inc., Universal Companies, Temple University and the University of Pennsylvania. Edison will run 20 of the schools, the largest share for any one organization.
- Nineteen schools will be reconstituted. Generally speaking, school reconstitution involves creating a new philosophy, developing a new curriculum and hiring new staff.
- Five schools will be converted to independent schools.
- Four schools will be converted to charter schools.

The SRC is working out the details for each one of these approaches and hopes to implement the changes by the beginning of the 2002-03 school year. Many have cited this as the nation's biggest experiment in school privatization.[6]

The SRC is also looking for community groups to volunteer as partners in revitalizing the 70 schools. The community groups may serve as governing bodies of the four charter schools, as board members of the five independent schools, or as school council members or advisors to the organizations running the 42 schools.

ECS Resources

The ECS Policy Brief ***"State Takeovers and Reconstitutions"*** is available online at http://www.ecs.org/clearinghouse/13/59/1359.htm.

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The takeover and the subsequent proposals regarding the operation of the central office and the governance, management and operation of the 70 schools have generated considerable controversy in Philadelphia. In fact, the constitutionality of the state's intervention is being challenged in court.

Several other states implemented takeovers during 2001:

- California took over the Emery Unified School District due to financial problems in the district.
- Connecticut took over the Waterbury School District, also because of financial problems.
- West Virginia took over the McDowell County Schools after an audit report indicated that students were not being provided with a high-quality education, and that unsafe and unhealthy conditions existed in many schools.

On the flip side, in California, the state removed its administrator from the Compton Unified School District, returned control of the district to the locally elected school board and designated a trustee to monitor the district's academic and financial performance. Also, in Washington, D.C., the financial control board returned oversight of the district to the D.C. school board. Previously, the financial control board had created a board of trustees to oversee the district.

Takeover Activity in 2002

Several takeovers have occurred during the first half of 2002:

- Arkansas intervened in two small rural school districts, the Altheimer School District and the Elaine School District, because low student performance on state tests had not improved over a six-year period.
- Maryland intervened in the Prince George's County School District. The state enacted legislation abolishing the locally elected school board and creating a nine-member school board appointed by the governor and the county executive.
- New York took over the Roosevelt Union Free School District. The state enacted a law that abolished the locally elected board of education and put into place a board appointed by the state board of regents and a superintendent appointed by the state commissioner of education. This law builds on a previous intervention in the district.

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Recent Research

What is happening in districts that have been taken over? Are their financial problems being remedied? Is academic achievement improving? Three recent reports provide preliminary answers to these questions. One report is focused on a particular takeover (in Baltimore), one is focused on governance changes that give mayors more authority over districts, and one is focused on takeovers that place states or mayors in charge of districts.

The first report, entitled *Report on the Final Evaluation of the City-State Partnership*, focuses on Maryland's intervention in the Baltimore City Public School System (BCPSS). In 1997, the Maryland legislature passed a law creating a partnership between the state and city to run BCPSS. The state replaced the mayorally appointed school board with a Board of School Commissioners, whose nine members are jointly appointed by the governor and the mayor.

The recent evaluation provides a number of insights into the results of the takeover up to this point, including:

- The Board of School Commissioners has responded in good faith to the requirements of the law that produced the changes, and has provided strong leadership in improving what was a school system on the brink of failure.
- Since the takeover, student achievement has improved in the elementary grades. However, the rate of progress will have to be accelerated if the district is to reach state performance goals.
- Improvements have been made in financial reporting, procurement, information technology services and the management of surplus facilities.
- While additional funds have been distributed to the district, it appears that a funding shortfall still exists.
- The new governance structure has played a key role in the successes that have been achieved.[7]

According to the second report, entitled *Mayoral Influence, New Regimes, and Public School Governance*, governance structure changes that give mayors more control of districts must be understood in the context of each particular city where it happens. In some cities, mayors have exerted a low level of influence over the district. For example, in Akron, Ohio, and West Sacramento, California, mayors have threatened a takeover, but stopped short once district policies changed. Also, in Los Angeles and Sacramento, California, the mayors endorsed and provided campaign money to certain school board candidates.

In other cities, mayors have a low to moderate level of influence over the district. In Oakland, California, Baltimore, Maryland, and Washington, D.C., for example, mayors appoint some school board members, but not a majority of the board.

In still other cities, mayors have a moderate level of influence over the district. For example, in Detroit, Michigan, the mayor appoints six of the seven school board members, while the governor appoints one, although the governor's appointment has veto power over certain decisions.

Finally, in some cities, mayors have a high level of influence over the district. In Boston, Massachusetts, for example, the mayor appoints the entire school board, and the district's superintendent is a member of the mayor's cabinet.[8]

Although it is too soon to assess whether mayoral control of certain districts has resulted in improved pupil performance and a more coherent governance system, positive signs are beginning to emerge, according to the report. For example, polls in Boston and Chicago indicate that citizens are happier with mayoral control of the schools than with previous arrangements.[9]

The third study, entitled *Does School District Takeover Work? Assessing the Effectiveness of City and State Takeover as a School Reform Strategy*, examines the effectiveness of 14 takeovers in turning around low-performing districts. These takeovers involved a revamping of financial, managerial and academic components of a district. The study looked at how successful the takeovers were at creating effective financial and administrative management, improving public perception of the district through greater accountability and improving teacher and student performance.

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According to the study, takeovers appear to produce more efficient financial and administrative management. In addition, takeovers that have placed mayors in charge of districts have occasionally resulted in changes in district administration, sometimes with more administrators without educational backgrounds moving into management positions in the district, thus creating a more diverse management team.[10]

In terms of enhancing public confidence through greater accountability, the study found that all of the districts administer assessments based on state standards. In addition, districts in which there had been a mayoral takeover frequently focused attention on administering additional tests, suggesting a focus on standards other than those developed by the state. The authors conclude that the emphasis on testing suggests a heavy focus on academic accountability.[11]

According to the study, takeovers that place mayors in charge of districts are linked with increased student achievement at the elementary grades (though not in the upper grades), particularly for the lowest-performing schools. Conversely, when takeovers that place states in charge of districts "produce administrative and political turmoil, student achievement suffers."[12] State takeovers may, however, produce gains in student achievement after the intervention has been in place for a prolonged period of time.

Key Questions

Takeovers are often the final sanction applied to low-performing districts and schools. In considering takeovers, especially in light of the requirements of the recently enacted federal law, state policymakers may want to focus on the following questions:

Criteria

- What criteria are used to identify districts and schools eligible for takeovers? How often is district and school performance monitored (e.g., every year, every 3-5 years)?

Takeover Decisions

- Should a state take over a low-performing district or school? If so, at what point does a state intervene? Are there other approaches that are more effective and efficient than a takeover in improving district and school performance?
- Do state education departments have the expertise and resources to run a district or school? Can the state provide the necessary support and assistance to low-performing districts and schools? How do state departments of education balance their oversight role with their operating role in a credible and objective manner?

Implementing Takeovers

- How does a state set goals for its takeover efforts? How does a state pay for a takeover?
- How can the state focus its efforts on generating and sustaining improved instruction?
- Will the state involve district policymakers, administrators, teachers, students and parents in reform efforts? What roles might these various groups play in a takeover?

Ending a Takeover

- How do states determine whether students are making sufficient progress to allow control to revert to local officials?
- How much time should states give districts and schools to improve? When and under what conditions should a state withdraw from a district or school?
- If a takeover fails to yield sufficient improvement in student achievement in the specified time, what is the next step?
- Once a state ends a takeover, how does it prevent the district or school from backsliding?

Long-term Changes

- Beyond the immediate crisis, how does a state improve the ability of local people, from school board members to teachers, to work more effectively?
- What is the state's role in assisting districts and schools before they are in crisis?

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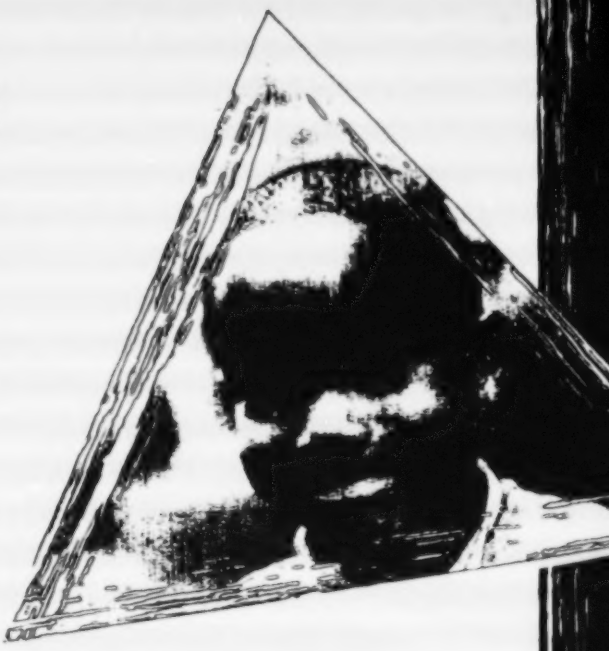
Charter Schools

Charter schools are semi-autonomous public schools, founded by educators, parents, community groups or private organizations that operate under a written contract with a state, district or other entity.[13] With charter school laws in place in 37 states, the District of Columbia and Puerto Rico and more than 2,400 charter schools in operation across the nation, charter schools are becoming a permanent feature of the public education landscape.[14]

As the charter school movement evolves, state policymakers are debating legislation to either strengthen or weaken their charter school laws and researchers are evaluating the impact of these schools in a variety of areas, including student achievement.



ECS Resources

For a comprehensive breakdown of state policies covering charter school basics, finance, autonomy, teachers and accountability, please see ***"Collection of ECS StateNotes About Charter Schools"*** at http://www.ecs.org/clearinghouse/24/11/2411.htm.

Information on **charter school legislation** that passed during the **2001** session is available online at http://www.ecs.org/clearinghouse/22/79/2279.htm.

Information on **charter school legislation** that has passed or is being considered during the **2002** session is available at http://www.ecs.org/clearinghouse/32/17/3217.htm.

2001 Legislative Summary

During the 2001 state legislative sessions:

- One state, Indiana, created a charter school law.
- Twenty states amended their charter school laws (Alaska, Arkansas, California, Colorado, Delaware, Hawaii, Idaho, Louisiana, Michigan, Mississippi, Nevada, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Texas, Utah,Virginia, Wyoming).
- Fifteen states introduced legislation to amend their charter school laws, but failed to pass it (Arizona, Connecticut, Florida, Illinois, Kansas, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, Ohio, Oklahoma, Rhode Island, South Carolina, Wisconsin).
- Six states (Iowa, Maine, Maryland, Tennessee,Vermont, West Virginia) introduced legislation to create a charter school law, but failed to pass it.

Among other things, Indiana's recently enacted charter school law allows local school boards, state universities and the mayor of Indianapolis to sponsor charter schools, and allows the conversion of an existing public school to a charter school if at least 67% of the teachers and 51% of the parents approve. It also requires teachers in a charter school to hold a license to teach in a public school or be participating in the state's transition-to-teaching program.

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In the 20 states that amended their charter school laws, various aspects of charter school laws were changed. Two states passed legislation permitting multiple charter school authorizers:

- Previously, in Utah, only the state board of education was authorized to approve charters. Now, local school boards may also approve them.
- In Nevada, charter school applications are first reviewed by the state board of education, and then approved by local school boards. Under recently enacted legislation, the state board of education may now approve charter schools that are formed exclusively to serve special-education students.

Three states changed the number of charters that can be granted:

- Alaska increased its cap from 30 to 60, and eliminated provisions that limited the number of charter schools by geographic area (e.g., up to three schools in the Kenai Peninsula Borough).
- Texas created a cap of 215 on the number of open-enrollment charter schools, which are charter schools approved by the state board of education. There is no cap, however, on the number of open-enrollment charter schools in which at least 75% of students are dropouts or at risk of dropping out, nor is there a cap on the number of charter schools that can be approved by districts.
- Utah's charter school program was previously a three-year pilot program allowing for a maximum of eight charter schools. In 2001, the state passed a bill allowing the state board of education to approve up to 12 charter schools for the 2001-02 school year and up to 16 charter schools for the 2002-03 school year.

Three states made changes that affect leaves of absence for teachers, which allow teachers to temporarily leave a district to teach at a charter school:

- In Delaware, districts were previously required by the state to grant teachers a leave of absence for three years, and are now only required to give a two-year leave.
- In North Carolina, districts were previously required to grant teachers a leave of absence for an unlimited number of years and are now only required to grant a one-year leave of absence.
- Wyoming passed a bill that gives teachers up to a three-year leave of absence. After that time, the district decides the relationship between the district and the teacher.

Two states changed their method of funding charter school facilities:

- Colorado appropriated capital construction funds for qualified charter schools in the amount of $332.40 per pupil.
- California created a lease-aid funding program for charter schools in low-income areas that will provide up to $750 per pupil. The state appropriated $5 million for the program for the 2002-03 school year.

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2002 Legislation to Date

One of the most significant charter school developments in the first half of 2002 was the passage of charter school legislation in Iowa. On April 23, Governor Thomas Vilsack signed S.B. 348 into law. The bill creates a pilot charter school program, whose implementation is contingent upon Iowa's receiving federal funds from the U.S. Department of Education's Public Charter Schools Program (PCSP). The bill allows up to 10 charter schools to be created if the federal government appropriates money from the PCSP to Iowa. If this happens, Iowa will become the 38th state to allow charter schools.

In addition, four other states are considering bills to create a charter school law during their 2002 legislative sessions. They are Maryland, Tennessee, Vermont and West Virginia.

Several bills amending charter school laws have already passed during the 2002 legislative session, including the following:

- In Utah, S.B. 138 increased the cap on the number of charter schools that may be sponsored by the state board of education and requires the state board of education, through the state superintendent of public instruction, to provide technical support to charter schools and those seeking to establish charter schools. The state must identify and promote successful charter school models, facilitate the application and approval process, direct charter schools and those seeking to establish a charter school to sources of private funding and support, and assist with the review, preparation and evaluation of charter school proposals.
- In Georgia, H.B. 1200 makes several revisions to the state's charter school law. Among other things, the bill clarifies differences between local charter schools and state-chartered special schools, and between conversion charter schools and start-up charter schools; changes provisions relating to approval or denial of petitions by local school boards and approval or denial of petitions by the state board of education; and clarifies admission and enrollment of students by state-chartered special schools.
- In Virginia, H.B. 734 requires the state board of education to include the number of charter applications that are denied in its annual report to the governor and the legislature. It also provides that charter schools and their employees are immune from liability to the same extent that other public schools and their employees are immune.

Recent Research

As the charter school movement continues to grow, policymakers are becoming more interested in the impacts of such schools. While definitive conclusions cannot be made, recent research has begun to sharpen the picture of how charter schools affect student achievement, accountability and traditional schools and districts.

Achievement

A review of the literature on charter schools by RAND researchers, entitled *Rhetoric versus Reality: What We Know and What We Need To Know about Vouchers and Charter Schools*, provides interesting findings in the area of academic achievement. According to the authors, the research evidence on academic achievement in charter schools is mixed.

Evidence from charter schools in Arizona shows students outperforming traditional public school students in reading and possibly in math. In Michigan, newly opened charter schools performed slightly worse than traditional public schools in the 4th grade and had similar achievement scores in the 7th grade. In Texas, slight advantages in test scores were seen in charter schools that focused on at-risk students, but slight disadvantages were seen in other charter schools. However, achievement effects may increase after the first year of operation, according to the Arizona and Texas studies.

The authors caution that definitive conclusions about charter school programs cannot be made without additional research and experimentation.[15]

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Accountability

Several studies of charter school accountability provide insight into the relationship between charter authorizers and charter schools. Authorizers are the school districts, universities, state agencies or other entities that grant and revoke charters, and are the primary mechanism for holding charter schools accountable for student performance.

One recent study, entitled *Educational Performance and Charter School Authorizers: The Accountability Bind*, challenges the assumption that charter school contracts are providing accountability for student performance. While acknowledging that the research is preliminary (only 29% of states with charter schools have had schools go through the renewal process), the study concludes that four challenges typically place charter school authorizers in an "accountability bind" – wanting to enforce accountability through the process of renewing charters, but finding it difficult to do so:

- Performance is not simple to define or measure, nor is "how good is good enough."
- Besides test scores, there are other aspects of a charter school's program that are important to families and authorizers, although they are often difficult to measure.
- Closing charter schools is difficult because teachers, parents and students become invested in particular charter schools and resist their closure.
- Charter schools have become a politicized issue, and some authorizers are concerned about their decisions reflecting poorly on charter schools as a reform idea.[16]

Another study provides findings from two years of observations of charter schools and their authorizers in six states (Arizona, California, Colorado, Georgia, Massachusetts and Michigan). Key findings from this report, entitled *A Study of Charter School Accountability*, include:

- Charter schools and authorizers are at the beginning stages of learning how to handle their new responsibilities and relationships.
- Charter schools are creating opportunities for teachers, parents and community groups to offer new schools.
- Individuals and groups that establish charter schools are learning, sometimes with great difficulty, how to handle the challenge of being accountable to public officials, as well as parents, students and the community.
- Charter school authorizers are struggling to learn how to relate to schools on the basis of performance rather than compliance.[17]

Impact on Traditional Schools and Districts

The impact of charter schools on traditional schools and districts was explored in a study of 49 districts in five states – Arizona, California, Colorado, Massachusetts and Michigan. According to the study, entitled *Challenge and Opportunity: The Impact of Charter Schools on School Districts*, each of the 49 districts reported impacts from charter schools. These impacts ranged from reductions in district budgets to implementation of new educational programs. The authors conclude that districts "do make changes in their educational services and district operations as a result of charter schools, and that these changes are influenced by enrollments, financial conditions and the nature of the granting authority."[18]

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Cyber Charter Schools

An emerging and controversial aspect of charter schools is the recent outgrowth of cyber or virtual charter schools. These schools provide instruction to students through computer-related technologies, which allow them to recruit students from across a state and permit students to be taught from their homes.[19]

Roughly 30 cyber charter schools are currently operating in 12 states (Alaska, Arizona, California, Colorado, Florida, Kansas, Minnesota, New Mexico, Ohio, Pennsylvania, Texas and Wisconsin).[20] With eight such schools in operation, Pennsylvania leads the nation in cyber charters. The Pennsylvania School Boards Association and a number of Pennsylvania school districts are filing lawsuits challenging the legitimacy of these schools. These lawsuits assert that cyber charter schools are not covered under the state's charter school law.[21]

The creation of such schools raises several questions for state policymakers to consider, many of which force them to walk the fine line between providing additional learning opportunities to students while still monitoring to a reasonable extent the provision of public education in these settings. These questions include:

- How does the state regulate and fund cyber charter schools?
- Is the funding of cyber schools done through state dollars or district dollars, or a combination of both?
- How is enrollment determined and reported to a cyber charter school's authorizer?
- How are cyber charter schools held accountable for meeting the terms of their charter, particularly in the areas of fiscal integrity and student achievement?

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P-16 Systems

An emerging innovation involves states' efforts to create governance systems that join three typically disconnected levels of public education – early learning, K-12 and postsecondary. The creation of such systems, known as P-16 systems, "reflects the central vision of a coherent, flexible continuum of public education that stretches from preschool to grade 16, culminating in a baccalaureate degree."[22]

A P-16 system attempts to:

- Expand access to early learning for children ages 3-5 and improve their readiness for kindergarten
- Smooth student transitions from one level of learning to the next
- Close the achievement gap between white and minority students
- Upgrade teacher education and professional development
- Strengthen relationships between families and schools
- Create a wider range of learning experiences and opportunities for students in the final two years of high school
- Improve college readiness and college success.[23]

To create an effective P-16 system, states must examine policies and structures in a number of areas, including governance. In a P-16 system, governance is "vested in a P-16 governing board or statutory coordinating board, working with regional and local P-16 councils."[24]

ECS Resources

ECS' ***"What is P-16 Education? A Primer for Legislators"*** is available online at http://www.ecs.org/clearinghouse/24/28/2428.htm.

2001 Legislative Summary

More than half of the states currently report working on some aspect of a P-16 system,[25] with many state activities less formal in nature and not necessarily based in state statute. During 2001, Florida, Georgia and Kentucky passed or implemented legislation altering the governance of their public education systems by creating more permanent P-16 structures (or variations of P-16 structures).

Florida

In 2001, the most significant strides toward a P-16 system were made in Florida, which has been working to create stronger connections between the K-12 and postsecondary systems.

Florida voters in 1998 amended the state constitution to redefine the way education is governed. Effective January 7, 2003, the amendment mandated the elimination of the state board of education, which consists of seven statewide elected officials – the governor, commissioner of education, secretary of state, attorney general, comptroller, insurance commissioner and commissioner of agriculture. In its place, Florida will have a new board whose members will be appointed by the governor, and a secretary of education who will be appointed by the reconstituted board.[26]

Although debate over the intent of the amendment continues, Governor Jeb Bush and the Florida Legislature have determined that the desire of voters also was to develop "a coordinated, seamless public education system from kindergarten through graduate school education." Implementing legislation – the Florida Education Governance Reorganization Implementation Act – was passed by the legislature in 2001 and subsequently signed into law by the governor.[27]

The act required that its major restructuring elements be implemented on July 1, 2001 – ahead of the January 7, 2003, deadline imposed by the constitutional amendment. Among the most significant provisions are the following:

- Established the Florida Legislature as the education policymaking body of the state
- Created the Florida Board of Education (FBOE) to oversee kindergarten-through-graduate school education
- Established the position of FBOE secretary as the chief education transition officer of the state
- Abolished the Board of Regents

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- Established boards of trustees for each of the colleges and universities in the State University System
- Abolished the State Board of Community Colleges
- Abolished the Articulation Coordinating Committee and transferred its responsibilities to the FBOE
- Abolished the Postsecondary Education Planning Commission and created the Council for Education Policy Research and Improvement, which will now report to the legislature.[28]

The evolution of a new public education governance system in Florida has been controversial. Proponents cite the need for a stronger role for the governor, noting that previously he had no authority to appoint state board of education members and little ability to change the public education system. In addition, proponents argue that the new system will create better alignment between K-12 and higher education, ensure greater accountability to taxpayers and increase institutional flexibility.

Opponents are concerned that the new system will harm the state's higher education system by politicizing decisions about program funding and exacerbating institutional conflict. Opponents also fear that small, specialized programs will disappear, and the higher education system will suffer from an overall decline in quality. Opponents such as U.S. Senator Bob Graham are mobilizing to place a referendum on the November 2002 ballot that, if passed, will reverse key elements of the new governance system.[29]

Georgia

Georgia's P-16 initiative dates to 1995 when a voluntary P-16 council was created. Then-Governor Zell Miller chose 38 leaders from a broad range of businesses, community groups and education agencies – including the state board of education and the state board of regents – to serve on the council.[30] In May 2001, as a result of H.B. 1187, the A Plus Reform Act of 2000, the P-16 Council was reconstituted as the Education Coordinating Council (ECC). Along with the name change, the nature of the council shifted from a voluntary organization to a statutory-based council.

Governor Roy Barnes chairs the ECC, which includes the chief executive officers and board chairmen of all state education agencies, preschool through college. The ECC provides a forum for interagency communication on education policy and programs, and promotes the development of a seamless and integrated public education system, preschool through college. Each state education agency has designated one individual to provide staff support to the ECC, and these individuals constitute the P-16 staff team.[31]

Kentucky

Prior to 2001, Kentucky's P-16 structure consisted of a voluntary statewide P-16 Council created in 1999. With the passage of H.B. 17 during the 2001 legislative session, though, Kentucky created a more permanent P-16 structure in the state, with P-16 councils now defined in statute as local or state councils "composed of educators from public and private preschools, elementary, secondary and postsecondary education institutions, local board of education members and may include community and business representatives that have voluntarily organized themselves for the purpose of improving the alignment and quality of the education continuum from preschool through postsecondary education, as well as student achievement at all levels."[32]

In addition, local P-16 councils are charged by law with "promoting the preparation and development of teachers, the alignment of competency standards, and the elimination of barriers that impede student transition from preschool through baccalaureate programs."[33]

The Kentucky Council on Postsecondary Education has begun administering a competitive-grant program to facilitate the establishment of local P-16 councils. During fiscal year 2001, the state provided $100,000 in seed money for this effort. Postsecondary education institutions are required to manage these grants.[34]

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Key Questions

A governance change affecting each level of public education, from preschool to graduate school, is a relatively new concept, and thus research on its effects are minimal. Here are some questions for policymakers to consider when contemplating the development of a P-16 system:

- What does the state hope to accomplish by creating a P-16 system? How will the P-16 structure enable the state to accomplish these goals?
- What will be the responsibilities of various individuals and entities in governing a P-16 system?
- How will funding be allocated in a P-16 system?
- How will the state judge whether the new governance system has led to improvements in the quality of early childhood, K-12 and higher education?

ECS Resources

The Case for P-16: Designing an Integrated Learning System, Preschool Through Postsecondary Education at http://www.ecs.org/clearinghouse/34/99/3499.pdf.

Acknowledgments

This report was written by Kirstin Craciun, researcher, and Todd Ziebarth, program director, ECS National Center on Governing America's Schools. Other ECS staff who worked on the report include Josie Canales, assistant editor; Sherry Freeland Walker, director of communications; and Suzanne Weiss, managing editor. The report was produced with financial support from the Joyce Foundation.

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